

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ21-562
Plaintiff,)
)
v.)
) DETENTION ORDER
JAMAL GARDNER,)
)
Defendant.)
_____)

Offenses charged:

1. Felon in Possession of a Firearm

Date of Detention Hearing: November 2, 2021.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has an extremely lengthy criminal record that includes multiple convictions for assault, and convictions for rape in the second degree, failure to register as a sex offender, escape, theft, and VUCSA. He has 25 warrants for failures to appear, and repeated criminal activity while under state supervision. Department of Corrections records show Mr. Gardner has been supervised three times between 2004 and 2020 with a total of 16 violation processes for failing to report to the DoC officer, possessing heroin, possessing a firearm, possessing ammunition, obstructing a Department of Corrections officer in their duties, methamphetamine use on multiple occasions, and resisting a Department of Corrections officer arrest.

2. Defendant poses a risk of nonappearance based on an extensive history of failures to appear. Defendant poses a risk of danger based on his pattern of similar conduct, repeated criminal activity while under supervision, substance abuse history, and repeated lack of compliance while under court supervision.

3. There does not appear to be any condition or combination of conditions that will reasonably assure the defendant's appearance at future Court hearings while addressing the danger to other persons or the community.

It is therefore ORDERED:

1. Defendant shall be detained pending trial, and committed to the custody of the Attorney General for confinement in a correction facility, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
2. Defendant shall be afforded reasonable opportunity for private consultation with

01 counsel;

- 02 3. On order of the United States or on request of an attorney for the Government, the person
03 in charge of the corrections facility in which defendant is confined shall deliver the
04 defendant to a United States Marshal for the purpose of an appearance in connection
05 with a court proceeding; and
- 06 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
07 for the defendant, to the United States Marshal, and to the United State Probation
08 Services Officer.

09 DATED this 2nd day of November 2021.

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12 S. KATE VAUGHAN
13 United States Magistrate Judge
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